

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FAY DIEANN McCART,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,

Defendant.

No. CV-09-3031-CI

ORDER GRANTING STIPULATED  
MOTION FOR REMAND PURSUANT  
TO SENTENCE FOUR OF 42  
U.S.C. § 405(g)

BEFORE THE COURT is the parties' Stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 21.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 6.) After considering the stipulation of the parties,

**IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand (**Ct. Rec. 21**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will conduct a de novo hearing. The ALJ also shall re-assess all of the medical evidence of record, including but not limited to the opinions of John McRae,

1 Ph.D., and Mary A. Gentile, Ph.D. The ALJ shall also re-assess  
2 Plaintiff's credibility, residual functional capacity, and past  
3 relevant work. Finally, if necessary, the ALJ shall obtain  
4 vocational expert testimony.

5 2. Judgment shall be entered for the **PLAINTIFF**.

6 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 16**) is  
7 dismissed as moot.

8 4. An application for attorney fees may be filed by separate  
9 motion.

10 The District Court Executive is directed to enter this Order,  
11 forward copies to counsel, and thereafter shall close this file.

12 DATED December 21, 2009.

13  
14 S/ CYNTHIA IMBROGNO  
15 UNITED STATES MAGISTRATE JUDGE  
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